

# EXHIBIT 7



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

MDL No. 1358  
Master File C.A. No.  
1:00-1898 (SAS)

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This document relates to the following case:

*New Jersey Department of Environmental Protection v. Atlantic Richfield Co., et al.,*  
Case No. 08 Civ. 00312

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PLAINTIFFS NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION ("NJDEP"), THE COMMISSIONER OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND THE ADMINISTRATOR OF THE NEW JERSEY SPILL COMPENSATION FUND'S AMENDED RESPONSES TO DEFENDANTS' FIRST SET OF REQUESTS FOR ADMISSION TO PLAINTIFFS REGARDING THE HP DELTA TRIAL SITE

Plaintiffs New Jersey Department of Environmental Protection ("NJDEP"), Commissioner of the New Jersey Department of Environmental Protection, and Administrator of the New Jersey Spill Compensation Fund (collectively, "Plaintiffs"), by and through their attorneys, Miller, Axline & Sawyer, make the following Amended Responses and General Objections to Defendants' First Set of Requests for Admission to Plaintiffs Regarding the HP Delta Trial Site ("Requests").

**GENERAL OBJECTIONS**

1. Plaintiffs object to the Requests on the grounds that they are improper and violate Federal Rules of Civil Procedure, Rule 36(a) because they include a request to

**REQUEST FOR ADMISSION NO. 7:**

Admit that YOU are not seeking any damages in this litigation related to the IMPACTED wells within the Lancaster Road Ground Water Contamination site, located in Woodbridge Township, New Jersey.

**RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

Plaintiffs object to this Request on the grounds that the request is vague and ambiguous. Subject to the specific objections and General Objections and without waiver of such objections, Plaintiffs provide the following response: Denied. Plaintiffs seek damages for MTBE and TBA contamination of groundwater, soil and impacts to the State's natural resources.

**REQUEST FOR ADMISSION NO. 8:**

Admit that MTBE was first detected in ground water at the SITE on August 10, 2006. See e.g., NJDEP-SITE233-008374.

**RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

Plaintiffs object to this Request to the extent it implies that there were no releases of MTBE at the SITE prior to the August 10, 2006 detection. Plaintiffs further object on the grounds that impacts to groundwater in the vicinity of the SITE were impacted prior to August 2006. Subject to the specific objections and the General Objections and without waiver of such objections, Plaintiffs respond as follows: Admitted.

**REQUEST FOR ADMISSION NO. 9:**

Admit that TBA was first detected in ground water at the SITE on August 10, 2006. See e.g., NJDEP-SITE233-008374.



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

Master File No. 1:00 - 1898  
MDL 1358 (SAS): M21-88

**This document relates to:**

*New Jersey Department of Environmental Protection v.  
Atlantic Richfield Co., et al.*, No. 08 Civ. 00312

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**DEFENDANTS' FIRST SET OF REQUESTS FOR ADMISSION TO PLAINTIFFS  
REGARDING THE HP DELTA TRIAL SITE**

Pursuant to Federal Rule of Civil Procedure 36, Defendants hereby propound the following requests for admission to Plaintiffs New Jersey Department of Environmental Protection, the Commissioner of the New Jersey Department of Environmental Protection and the Administrator of the New Jersey Spill Compensation Fund ("Plaintiffs"), to be answered in the time allowable under the Federal Rules of Civil Procedure.

**INSTRUCTIONS**

If a claim of privilege is asserted with respect to any requests for admission, in whole or in part, or YOU refuse to answer on any other ground, specify the exact basis for YOUR claim that such request need not be answered with sufficient specificity to permit the Court to determine the validity of YOUR objection or position. In the event YOU file a proper and timely objection to a portion of any request, please respond to all portions of the request that do not fall within the ambit of your objection.

25. The phrase “UST GRANT/LOAN (EDA)” shall have the meaning used by PLAINTIFFS in Plaintiffs’ table summarizing past costs at trial sites (*see Costs 30(b)(6) Ex. 3*).

26. The terms “IMPACTED” and “THREATENED,” as they relate to WATER RESOURCES and NATURAL RESOURCES, shall have the meanings used by PLAINTIFFS in the Fourth Amended Complaint (*see e.g., ¶¶ 3-4*).

27. The terms “OWN” and “OPERATE” (including any form of those words) shall have the meanings used by Plaintiffs in the Fourth Amended Complaint (*see e.g., ¶ 107*).

#### REQUESTS FOR ADMISSION

1. Admit the SITE is located at 439 Lake Avenue, Woodbridge Township, Middlesex County, New Jersey. *See e.g., NJDEP-SS-EMAIL-GLipsius-00000002.*
2. Admit the SITE is designated as Block 506B, Lot 3. *See e.g., NJDEP-MTBE-LIPSIUSDEP2 HP 00365.*
3. Admit that no defendant named in Plaintiffs’ Fourth Amended Complaint has ever OWNED the SITE.
4. Admit that no defendant named in Plaintiffs’ Fourth Amended Complaint has ever OPERATED the SITE.
5. Admit that no defendant named in Plaintiffs’ Fourth Amended Complaint has ever OPERATED ANY UST located at the SITE.
6. Admit that no defendant named in Plaintiffs’ Fourth Amended Complaint has ever leased the SITE.
7. Admit that YOU are not seeking any damages in this litigation related to the IMPACTED wells within the Lancaster Road Ground Water Contamination site, located in Woodbridge Township, New Jersey.
8. Admit that MTBE was first detected in ground water at the SITE on August 10, 2006. *See e.g., NJDEP-SITE233-008374.*
9. Admit that TBA was first detected in ground water at the SITE on August 10, 2006. *See e.g., NJDEP-SITE233-008374.*
10. Admit that the last detection of MTBE in ground water at the SITE was June 2011. *See e.g., NJ-MTBE-HANDEX-001676.*